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### **REMARKS**

The Office Action notes that claims 1-24 are pending in the referenced application, that claims 1-4, 6-12, 14-20, and 22-24 are rejected, and claims 5, 13, and 21 are objected to. In view of the following discussion, the Applicants submit that none of the claims now pending in the application is obvious under the provisions of 35 U.S.C. § 103. Thus, the Applicants believe that all of these claims are now in allowable form.

### **I. RESPONSE TO EXAMINER'S ARGUMENTS**

In the July 2, 2004 Final Office Action, the Examiner responded to Applicants' amendment filed May 3, 2004. Applicants will address the Examiner's response below.

The Examiner has conceded that Hurst, Jr. fails to disclose a decoder for decoding each identified (out/in) frame, a respective portion of the transport stream including the (out/in)-frame, and an encoder for re-encoding each decoded portion of the transport stream to produce a (out/in)-point adapter. The Examiner cites Wee et al (Wee) to cure this deficiency. In particular, the Examiner cites col. 11, lines 19-32 of Wee. This cite states the following:

While the preferred embodiment calls for frequency domain conversion of these frames to remove such dependencies, it would also be possible to entirely decompress as little as four entire frames only, and then perform three re-conversions to achieve the desired splicing. For example, prior to any cut, the frames "PBB..." could be decoded to the image domain, and then recoded as "IPB..." frames, for example. Similarly, implementation of reverse-play could be effected by inverting B frame dependencies, converting P frames to the image domain, reordering these frames, and then re-converting these frames as P frames based upon the new temporal order of frames. All of these variations are viewed as within the spirit of the present invention.

In citing Wee, the Examiner states that Wee teaches decoding an identified out-frame, a portion of the video stream including the out-frame, and re-encoding each decoded portion of the stream for splicing purpose. The Applicants respectfully assert that the Examiner is incorrect.

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Wee does not disclose "re-encoding each decoded portion of said transport stream to produce a respective out-point adapter, each of said out-point adapters including a predefined terminating out-point condition." The Applicants describe "in-points" and "out-points" for each stream as being indicative of, respectively, appropriate stream entry and exit points. For example, a packet containing a video sequence header in an MPEG like video stream comprises an appropriate in-point. An MPEG like information stream that contains such in-points and out-points is said to be spliceable. In one embodiment of the Applicants' invention an "out-point splicing adapter" comprises, for example, an initial portion of a transition clip except that the out-point splicing adapter ends in a particular condition. In the passage referred to by the Examiner, Wee does not disclose out-point adapters. Wee also fails to disclose each out-point adapter including a predefined terminating out-point condition. Wee only describes identifying frames for playback in reverse order, decoding those frames, reversing the order of those frames, and recoding those frames. The Applicants respectfully request that the Examiner explain how Wee teaches an out-point adapter and where Wee teaches each out-point adapter including a predefined terminating out-point condition.

## **II. REJECTION OF CLAIMS 1-4, 6-12, 14-20, and 22-24 UNDER 35 U.S.C. § 103**

The Examiner has rejected claims 1-4, 6-12, 14-20, and 22-24 in the Office Action as being obvious over Hurst, Jr. (US patent 6,038,000, issued on March 14, 2000) in view of Wee et al (US patent 6,104,441, issued on August 15, 2000). The Applicants respectfully disagree.

The arguments presented in Applicants' May 3, 2004 response with respect to the rejection under 35 U.S.C. §103 by the Examiner are hereby incorporated by reference. These arguments are reiterated in view of the further arguments stated above.

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**Conclusion**

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. §103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of the present final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

9/2/04



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